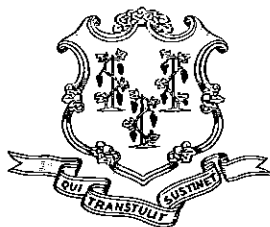


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March 24, 2009

Good Morning Senator McDonald, Representative Lawlor and members of the Judiciary Committee. I am here to express my support for a number of bills on today's agenda: S. B. No. 349 AN ACT CONCERNING THE PENALTY FOR POSSESSION OF A SMALL AMOUNT OF MARIJUANA, S. B. No. 348 AN ACT CONCERNING THE VIDEOTAPING OF CUSTODIAL INTERROGATIONS, S. B. No. 357 AN ACT CONCERNING EYEWITNESS IDENTIFICATION, S. B. No. 673 AN ACT CONCERNING ACCESS TO THE CRIMINAL JUSTICE INFORMATION SYSTEM, S. B. No. 707 AN ACT CONCERNING PROBATION SUPERVISION FEES, H. B. No. 6581 AN ACT CONCERNING THE ENHANCED PENALTY FOR THE SALE OR POSSESSION OF DRUGS NEAR SCHOOLS, DAY CARE CENTERS AND PUBLIC HOUSING PROJECTS, and H. B. No. 6708 AN ACT CONCERNING CRIMINAL CASES OF PERSONS WHO HAVE RETURNED FROM SERVICE WITH THE ARMED FORCES.

Last year, the state of Massachusetts passed by referendum a measure which decriminalized the possession of an ounce or less of marijuana; it passed 65% to 35%. Polling in Connecticut by Quinnipiac University demonstrated that 58% of our citizens favor decriminalization. SB 349, which would decriminalize possession of less than an ounce of marijuana, represents a compassionate and pragmatic policy. Our state should not encourage illegal drug use; however, possession of marijuana for personal use should not leave a person with a life-long criminal record. This bill would also create budgetary savings. It would reduce costs to police departments, the court system, and the offices of the public defenders and the state's attorneys. The Office of Fiscal Analysis estimates it would save \$11 million and generate \$320,000 in General Fund revenue annually. This is an issue, like medical marijuana, where the public is ahead of the politicians.

I have long been an advocate for the taping of custodial interrogations as I believe that this procedure protects both the police and the suspects in the interrogation process. S. B. No. 348, AN ACT CONCERNING THE VIDEOTAPING OF CUSTODIAL INTERROGATIONS would move our state in this direction. While historically law enforcement officers have viewed taping of confessions with some trepidation, once they begin the process many of them become advocates for it. The Chief State's Attorney, Kevin Kane, has been helpful in increasing the use of taping custodial interrogations. If you would like more information on taping of confessions and the positive response from law enforcement I would be pleased to share with you a report from the Northwestern University School of Law, "Police Experiences with Recording Custodial Interrogation." Taping of confessions would ensure greater accountability in our judicial system.

In addition, S. B. No. 357, AN ACT CONCERNING EYEWITNESS IDENTIFICATION, would represent another improvement in the accuracy of our judicial system by addressing the notorious conundrum of eyewitness identification. Everyone involved with the criminal justice system is well aware that eyewitness identification can be a double edged sword. It is prone to stunning inaccuracy but it is also perhaps the most compelling testimony in a courtroom. Therefore, we have an obligation to ensure that this testimony is as accurate as possible. SB 357 would reduce the probability of error or of undue influence by law enforcement by, among other things, requiring that the line-up or photographs be shown in sequential order rather than simultaneously and that, when possible, the person conducting the identification procedure should not know who in the line-up or photographs is the suspected perpetrator, and that the fillers in the line-up generally fit the description of the suspected perpetrator. This proposal would increase confidence in the investigative techniques used by our criminal justice system.

S.B. 6581 AN ACT CONCERNING THE ENHANCED PENALTY FOR THE SALE OR POSSESSION OF DRUGS NEAR SCHOOLS, DAY CARE CENTERS AND PUBLIC HOUSING PROJECTS would address the issue that in cities such as New Haven, there are very few places which are not within 1500 feet of a school, day care center, or public housing. This creates a situation in which almost any sale or possession of illegal substances in the cities is subject to the enhanced penalties as opposed to such activities in suburban communities of larger area. The bill would lower the distance to

250 feet and make the enhanced penalties apply only when the facilities such as schools and day care centers are in fact open.

I proposed S.B. 676, AN ACT ESTABLISHING A SPECIAL CRIMINAL DOCKET FOR MILITARY VETERANS which is substantially equivalent to H. B. 6708, AN ACT CONCERNING CRIMINAL CASES OF PERSONS WHO HAVE RETURNED FROM SERVICE WITH THE ARMED FORCES. As we all know, persons returning from service face special needs and a system similar to this has worked quite well in Buffalo, NY. I believe that Linda Schwartz, the Commissioner of Veterans Affairs is interested in moving this idea forward as well.

S. B. No. 673 AN ACT CONCERNING ACCESS TO THE CRIMINAL JUSTICE INFORMATION SYSTEM would allow the Federal Defenders the same access to CJIS as the state public defenders. This change would represent fairness as the U.S. Attorneys have CJIS access. S. B. No. 707 AN ACT CONCERNING PROBATION SUPERVISION FEES, is a common sense change and would require that payment of these fees not be required until the person is released from confinement and begins the period of probation supervision.

Thank you for raising these extraordinarily important bills to improve our criminal justice system.